

HOUSE BUDGET & RESEARCH OFFICE

(404) 656-5050

HOUSE COMMUNICATIONS

(404) 656-0305

TOMORROW'S FORECAST

* The House will reconvene for its 25th Legislative Day on Wednesday, February 27, at 10:00 AM.

* 12 bills are expected to be debated on the floor.

**GEORGIA HOUSE OF REPRESENTATIVES*****DAILY REPORT*****Tuesday, February 26, 2013****24th Legislative Day****TODAY ON THE FLOOR****RULES CALENDAR****HB 266 - Internal Revenue Code; certain provisions of federal law into Georgia law; incorporate**

- **BILL SUMMARY:** HB 266 is the annual update bill to bring the Georgia Revenue Code in line with the Internal Revenue Code. The bill extends the Section 179 (b) (1) and (2) income tax deductions at the current levels provided for within the code. Additionally, retirement income for airline pilots that was forced to be transferred into a Roth account in 2007 and therefore was subject to state tax will become eligible for a refund as long as an amended return is filed by Nov. 15 of this year. The bill also clarifies that the Research and Development credits established in §48-7-40.12 which were earned in tax year 2012 will apply to tax years 2012 and forward. Clarifying language to preclude on-road excise taxed fuel from is tax exempt under the GATE program was added to the bill as well requiring a good-faith standard be applied by retailers who are accepting sales tax exemption certificates.

- **Authored By:** Rep. Allen Peake of the 141st
- **House Committee:** Ways & Means
- **Rule:** Structured
- **Yeas:** 170; **Nays:** 1

HB 320 - Solid waste management; currently existing and compliant inert waste landfill operations from regulatory permitting; exempt

- **BILL SUMMARY:** HB 320 amends O.C.G.A. 12-8-24 by adding a subsection that allows for any inert waste landfill that, as of January 1, 2014, is in full compliance with all permits by rule requirements as they existed on January 1, 2012 to continue to operate under the permit by rule requirements.

The bill also exempts any landfills from permitting requirements under O.C.G.A. 12-8-27 that have a total capacity of 250 cubic yards or less and receive only inert waste.

The bill also amends O.C.G.A. 12-8-30.6, which relates to civil penalties for solid waste management violations by setting the fine for non-compliance with this part at not more than \$5,000 per day during the time which the violation continues.

- **Authored By:** Rep. Buddy Harden of the 148th
- **House Committee:** Natural Resources & Environment
- **Rule:** Modified-Open
- **Yeas:** 159; **Nays:** 8

HB 338 - Georgia Council for the Arts; role of arts in economic development and other vital functions to the state; clarify

- BILL SUMMARY: The legislation clarifies the role of the Georgia Council for the Arts as it relates to economic development by making the council an advisory body. The council will be made up of nine members, appointed by the Governor, serving three year terms. Council members will represent a broad array of major fields of the arts and creative industries, and will be a balanced representation of the entire state. The Governor will appoint a chairperson on an annual basis for a term ending on June 30th of the year following his or her appointment. The chairperson will be responsible for calling upon the council to meet at least twice per fiscal year.

The council will advise the Governor through the Department of Economic Development on how best to advance the arts in education, tourism, community development, and economic development in Georgia. They will also assist local governments and communities to plan, build, and connect the arts to their tourism, community, and economic development initiatives.

- **Authored By:** Rep. Joe Wilkinson of the 52nd
- **House Committee:** Economic Development & Tourism
- **Rule:** Modified-Open
- **Yeas:** 166; **Nays:** 2

LOCAL CALENDAR

HB 431 - Culloden, City of; elections and terms of members of city council; provide

- BILL SUMMARY: A Bill to provide for elections and terms of office for members of the city council in the City of Culloden.
- **Authored By:** Rep. Robert Dickey of the 140th
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 154; **Nays:** 0

HB 440 - Ellenton, City of; election and powers of city councilmembers; change certain provisions

- BILL SUMMARY: A Bill to amend the charter of the City of Ellenton so as to change provisions relating to the election and powers of city councilmembers.
- **Authored By:** Rep. Sam Watson of the 172nd
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Amendments(s):** N/A
- **Yeas:** 154; **Nays:** 0

HB 450 - Cherokee County State Court; charge technology fee for each civil case filed and each criminal fine imposed; authorize

- BILL SUMMARY: A Bill to authorize the State Court of Cherokee County to charge a technology fee not to exceed \$5.00 for each civil case filed and each criminal fine imposed.
- **Authored By:** Rep. Mandi Ballinger of the 23rd
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Amendments(s):** N/A
- **Yeas:** 154; **Nays:** 0

POSTPONED TO NEXT LEGISLATIVE DAY

HB 287 - Secretary of State, Office of; Division of Archives and History; reassign to Board of Regents of University System of Georgia

- BILL SUMMARY: HB 287 reassigns the Division of Archives and History from the Secretary of State's office to the Board of Regents of the University System of Georgia.
- **Authored By:** Rep. Matt Hatchett of the 150th
- **House Committee:** Governmental Affairs
- **Rule:** Modified-Open

** The House will reconvene Wednesday, February 27, at 10:00 AM, for its 25th Legislative Day.*

COMMITTEE ON RULES

The Committee on Rules has fixed the calendar for the 25th Legislative Day, Wednesday, February 27, and bills may be called at the pleasure of the Speaker.

NEXT ON THE FLOOR

HB 141 - Kidnapping; certain businesses and establishments post a model notice to enable persons who are the subject of human trafficking to obtain help and services; require

- BILL SUMMARY: HB 141 requires certain businesses (bars, primary airports, bus stations, truck stops, etc.) to post a national human trafficking hotline number. If an establishment fails to comply, law enforcement may notify them and allow 30 days for compliance, or the establishment is fined.
- **Authored By:** Rep. Edward Lindsey of the 54th
- **House Committee:** Judiciary Non-Civil
- **House Committee Passed:** 2/21/2013
- **Rule:** Modified-Open

HB 187 - Controlled substances; date of incorporation of local ordinances by reference; change

- BILL SUMMARY: HB 187 allows the General Assembly to adopt and incorporate all drug-free commercial zones which have been adopted by local municipal or county ordinance and entered in the register of the Department of Community Affairs on or before July 1, 2013.
- **Authored By:** Rep. Pam Dickerson of the 113th
- **House Committee:** Judiciary Non-Civil
- **House Committee Passed:** 2/13/2013
- **Rule:** Modified-Open

HB 210 - Gasoline and aviation fuel; temporary suspension of the collection of taxes; provide legislative findings

- BILL SUMMARY: This legislation ratifies the Governor's Executive order from June 8, 2012, suspending the increase in prepaid state taxes on motor fuels until December 31, 2012.
- **Authored By:** Rep. Chad Nimmer of the 178th
- **House Committee:** Ways & Means
- **House Committee Passed:** 2/21/2013
- **Rule:** Structured

HB 226 - Solid waste management; tire transportation, storage, and disposal; revise certain requirements

- BILL SUMMARY: HB 226 requires a person who collects or transports any tires other than new tires to obtain a tire carrier permit issued by the Environmental Protection Division which he or she shall display on each vehicle used to collect or transport tires. This does not apply to a common carrier that collects tires exclusively from outside of Georgia. The bill also adds language that a person holding a tire carrier permit shall pay the EPD a nominal fee for each decal issued.

HB 226 also requires a person to obtain a scrap tire processing permit issued by the EPD prior to processing scrap tires. "Processing scrap tires" means "any method, system, or other treatment designed to change the physical form, size, or chemical content of scrap tires for beneficial use."

The bill also amends who is exempted from this code section by exempting private individuals transporting no more than ten of his or her own tires, or a private individual transporting more than ten tires if he or she can provide proof of purchase with receipt of the tires. The section also does not apply to a tire retailer transporting its own used tires if the dealer can provide proof of purchase with receipt for all of the used tires being transported, as well as a document verifying the origin, route, and destination of the used tires. The section also does not apply to anyone transporting tires collected as part of an organized site cleanup activity.

The bill also lowers the number of scrap tires a person can store in Georgia from one hundred to twenty-five. This does not apply to tire retailers with no more than 1,500 scrap tires in storage, or tire retreaders with no more than 3,000 scrap tires in storage so long as the retreader is actively retreading. The amendment also does not apply to a licensed used motor vehicle parts dealer or registered secondary metals recycler with no more than 500 scrap tires in storage. It also does not apply to a scrap tire processor approved by the division so long as the number of scrap tires in storage does not exceed the quantity approved by EPD if all of the scrap tires are secured in a locked enclosure or are otherwise adequately secured in a manner suitable to prevent unauthorized access. The EPD, however, may grant a waiver of the enclosure requirement if the person

requesting the waiver can definitively show a significant and unique economic hardship which impairs his or her ability to continue operating his or her business.

The bill also changes the amount of the surety bond provided to the director by a scrap tire carrier or scrap tire processor prior to issuance of a permit to ensure compliance with these provisions to not less than \$10,000 and not greater than \$20,000.

The bill also changes the effective date to January 1, 2013.

- **Authored By:** Rep. Randy Nix of the 69th
- **House Committee:** Natural Resources & Environment
- **House Committee Passed:** 2/21/2013
- **Rule:** Modified-Structured

HB 252 - Athens-Clarke County; chief magistrate judge; provide nonpartisan elections

- **BILL SUMMARY:** A Bill to provide for the nonpartisan election of the Chief Magistrate Judge of the Magistrate Court of Athens/Clarke County.

- **Authored By:** Rep. Regina Quick of the 117th
- **House Committee:** Intragovernmental Coordination
- **House Committee Passed:** 2/14/2013
- **Rule:** Modified-Open

HB 302 - Controlled substances; substances included under Schedule I and III; add

- **BILL SUMMARY:** HB 302 is the annual drug update bill by the Board of Pharmacy moving new and existing drugs into different classes.

- **Authored By:** Rep. Bruce Broadrick of the 4th
- **House Committee:** Judiciary Non-Civil
- **House Committee Passed:** 2/25/2013
- **Rule:** Modified-Structured

HB 315 - Nurses; continuing competency requirements as requirement for license renewal; provide

- **BILL SUMMARY:** House Bill 315 provides continuing competency requirements for nurses. Beginning in the 2016 license renewal cycle, applicants must satisfy one of the following continuing competency requirements.

- 1.) 30 hours of continuing education hours.
- 2.) Maintenance or certification by a national certifying body.
- 3.) Completion of an academic program of study in nursing.
- 4.) Verification of competency by a health care facility in which the nurse practiced 500 hours.
- 5.) Other activities as prescribed and approved by the board.

A non-practicing nurse may request that their license be placed on inactive status. To restore an inactive license, the licensee must submit an application, pay a fee, and provide evidence of competency to resume practice.

- **Authored By:** Rep. Sharon Cooper of the 43rd
- **House Committee:** Health & Human Services
- **House Committee Passed:** 2/20/2013
- **Rule:** Modified-Structured

HB 328 - Lowndes County; nonpartisan nomination and election of judge of Probate Court; provide

- **BILL SUMMARY:** A Bill to provide for the nonpartisan election of the judge of the Probate Court of Lowndes County.

- **Authored By:** Rep. Amy Carter of the 175th
- **House Committee:** Intragovernmental Coordination
- **House Committee Passed:** 2/21/2013
- **Rule:** Modified-Open

HB 329 - Lowndes County; judge of Small Claims Court shall be magistrate judge elected on nonpartisan basis; provide

- **BILL SUMMARY:** A Bill to provide for the nonpartisan election of the magistrate judge of the Small Claims Court for Lowndes County.

- **Authored By:** Rep. Amy Carter of the 175th
- **House Committee:** Intragovernmental Coordination
- **House Committee Passed:** 2/21/2013
- **Rule:** Modified-Open

HB 336 - Civil practice; tort claims arising out of use of motor vehicles; provide for certain pre-suit settlement offers

- BILL SUMMARY: HB 336, also known as the "bad faith legislation," sets forth the guidelines for information which must be included in an offer to settle a personal injury or death claim arising from a motor vehicle accident.

- **Authored By:** Rep. Jay Powell of the 171st

- **House Committee:** Judiciary

- **House Committee Passed:** 2/21/2013

- **Rule:** Modified-Structured

HB 384 - Transportation, Department of; local governing authority designating public streets or portions thereof for combined use of motorized carts and regular vehicle traffic; modify provisions

- BILL SUMMARY: This bill would require each local governing authority allowing motorized carts upon public streets within its jurisdiction to erect signs on every highway which comprises a part of the state highway system at that point on the highway which intersects the corporate limits of the municipality or boundaries of the county. Signs shall be at least 24 by 30 inches in area and shall warn approaching motorists that motorized carts are authorized for use on public streets. Without the posting of required signs, the ordinances establishing operating standards for motorized carts are not effective.

- **Authored By:** Rep. Jay Roberts of the 155th

- **House Committee:** Transportation

- **House Committee Passed:** 2/21/2013

- **Rule:** Modified-Open

HR 205 - Property; conveyance of certain state owned real property; authorize

- BILL SUMMARY: HR 205 is a conveyance resolution for property located in sixteen counties, conveying property owned by the State of Georgia or amending those conveyances, as follows:

Article I conveys property in Baldwin County, a portion of the Georgia Veterans Cemetery in Milledgeville and under the custody of the Department of Veterans Services, to the Georgia Department of Transportation to be used for the Fall Line Freeway Stage 2 project.

Article II conveys property in Ben Hill County, the former site of the Bainbridge Armory and currently under the custody of the Georgia Department of Defense, to the City of Fitzgerald to be used by the Ben Hill County Board of Education, for the amount of the remaining general obligation bonds.

Article III conveys property in Bibb County, the former site of the Army National Guard Macon Field Mechanics Service and currently under the custody of the Georgia Department of Defense, to Bibb County, on behalf of the Bibb County Board of Education.

Article IV conveys property in Bibb County, the former site of the Macon Regional Youth Detention Center and currently under the custody of the Georgia Department of Juvenile Justice, to the State Properties Commission to offer for competitive bid or to a local government or state entity.

Article V conveys property in Butts County, a portion of the Georgia Diagnostic and Classification Prison currently under the custody of the Department of Corrections, to the Georgia Department of Transportation to be used for the State Route 26 road widening project, for \$10.00.

Article VI conveys, by quitclaim deed, an 861 acre portion of the Tronox property, located in Chatham County. The property, which is listed on the Georgia hazardous site inventory as a Superfund site, is being conveyed for environmental cleanup.

Article VII conveys property in Chattooga County, the site of the former Northwest Regional Crime Lab and currently under the custody of the Georgia Bureau of Investigations, to the State Properties Commission to offer for competitive bid or to a local government or state entity.

Article VIII conveys property located in Crawford County, currently under the custody of the Department of Natural Resources, to the Department of Transportation to be used for the bridge replacement project on State Route 128 above the Flint River, for fair market value including cost to cure any damages.

Article IX conveys property in Floyd County, the site of the former Talmage Gym located on the Cave Spring Georgia School for the Deaf campus and currently under the custody of the Georgia Department of Education, to the State Properties Commission to offer for competitive bid or to a local government or state entity.

Article X conveys property in McDuffie County, formerly the site of the Georgia State Patrol Hangar in Thomson and currently under the custody of the Department of Public Safety, jointly to the City of Thomson and McDuffie County.

Article XI conveys property in Mitchell County, formerly used as the Pelham Probation and Detention Center and under the custody of the Department of Corrections, to the State Properties Commission to offer by competitive bid or to a local government or state entity.

Article XII places restrictive covenants on property in Paulding County. The United States Department of Army Corps of Engineers provided funding for stream mitigation for a 110 acre portion of the 1,051 acre tract purchased from the Howell family in June, 2012. To meet requirements for the in-lieu funding a Declaration of Conservation Covenants and Restrictions must be placed on the 110 acres. The property remains in custody of the Department of Natural Resources.

Article XIII conveys land in Putnam County that was formerly the Putnam State Prison and currently under the custody of the Department of Corrections to the State Properties Commission to the City of Eatonton for \$10.00 or to offer for competitive bid or to a local government or state entity.

Article XIV conveys property in Richmond County that is currently a portion of the East Central Regional Hospital and under the custody of the Georgia Department of Behavioral Health and Developmental Disabilities to the Georgia Department of Transportation to be used for making traffic operation improvements for \$10.00.

Article XV conveys property in Richmond County, formerly used as the Augusta Alcohol and Drug Rehabilitation Center and under the custody of the Department of Juvenile Justice, to the State Properties Commission to offer by competitive bid or to a local government or state entity.

Article XVI conveys property in Spalding County, formerly used as the Griffin Regional Youth Development Center and under the custody of the Department of Juvenile Justice, to the State Properties Commission to offer by competitive bid or to a local government or state entity.

Article XVII conveys property in Tattnal County. The Georgia Department of Corrections and Stanley Farms, LLC have reached an agreement for an exchange of properties located on Harley Road and adjoining the Georgia State Prison in Reidsville. The state will convey two properties, 10.62 acres and 210 acres, to Stanley Farms, LLC in exchange for a 19.063 acre property and \$257,000.

Article XVIII conveys property in Wilkes County, formerly known as the Wilkes County Unit and under the custody of the State Forestry Commission to Wilkes County for \$10.00 or to offer for competitive bid or to a local government or state entity.

- **Authored By:** Rep. Jay Neal of the 2nd
- **House Committee:** State Properties
- **House Committee Passed:** 2/13/2013
- **Rule:** Modified-Structured

**** The Rules Committee will next meet on Wednesday, February 27, at 9:00 AM, to set the Rules Calendar for the 26th Legislative Day.***

COMMITTEE ACTION REPORT

Appropriations

HB 45 - Public property; writing off small amounts due to the state; change certain provisions

- BILL SUMMARY: House Bill 45 extends the ability of state agencies and departments to administratively discharge \$100 or less financial obligations that have been determined uncollectable and are reported within State Accounting Office guidelines until July 1, 2016. The Board of Regents of the University System of Georgia and the Technical College System of Georgia may discharge amounts of \$3,000 or less. In order for these obligations to be considered uncollectable, the agency must provide documentation of the efforts made to collect the debt to the commissioner of the agency, who will determine if the cost of further collection efforts is in the public's financial interest; if not, a certificate will be issued deeming the efforts of collection to be costly and the obligation can then be removed for accounting purposes.

This bill also extends the provisions for the University System and Technical College System of Georgia to maintain collections from tuition and fees, not to exceed three or 15 percent of the collections respectively, as unexpired funds until July 1, 2016.

- **Authored By:** Rep. Earl Ehrhart of the 36th

- **Committee Action:** Do Pass

Appropriations

HB 127 - Public officers; automatic fee adjustment in cases where funds are not appropriated in certain amounts for specified purposes; provide

- BILL SUMMARY: HB 127 provides for automatic fee adjustments for certain fees collected, such as: the solid waste disposal fee, the tire disposal fee, certain fees pertaining to traffic violations collected by the courts, certain court filing fees, and penalties related to criminal, quasi-criminal, traffic cases, and bond violations.

For the purpose of making appropriations to the functions required to administer the programs supported by the fees collected, the Office of Planning and Budget (OPB) must determine the base amount of the fee. "Base amount" is defined as the total amount of fee proceeds collected during the fiscal year preceding the fiscal year for which the current appropriation amount is being determined. Additionally, OPB must establish what amount would be 25 percent of the base amount collected in fees, and add that amount to the current appropriation to determine the target amount of appropriation. If the new appropriation is equal to or greater than 95 percent of the base amount, or equal to or greater than the target amount, the amount of the fee collected will not be reduced.

However, if the new appropriation amount is less than the target appropriation amount, the fees collected will automatically be reduced by 25 percent. In this case, OPB must notify the collecting entity, when the Appropriations Act becomes law. Any fiscal year when the appropriation again meets the target amount, the fee amount will increase back to the prior amount. This new automatic adjustment of fees does not preclude any appropriation of greater amounts from taking place by OPB. Each collecting agency affected by this bill must confer with OPB to promulgate rules and regulations as would be required, including appropriate public notification of any fee amount change.

Prior to the adoption of the current fiscal year's amended supplementary appropriations bill, the application of a single fee outlined in this Code section may be waived and suspended for up to a single fiscal year.

- **Authored By:** Rep. Jay Powell of the 171st

- **Committee Action:** Do Pass

Appropriations

HR 73 - Word, Mr. Lathan Rydell; compensate

- BILL SUMMARY: HR 73 compensates Mr. Lathan Word for his wrongful conviction and imprisonment by the State of Georgia. In 1999, six days before he was to begin Marine Corps boot camp, Mr. Word was falsely implicated in an armed robbery in Columbus. In September 2000 he was convicted of armed robbery and possession of a firearm and sentenced to fifteen years in prison.

In 2011, the Court of Appeals overturned Mr. Word's conviction and ordered a new trial. At the new trial, the victim of the 1999 armed robbery testified that he had lied when he stated that Mr. Word was the person who robbed him, and Mr. Word was exonerated of the crimes and released from prison.

The Claims Advisory Board recommended compensation for Mr. Word based on the eleven years he spent in prison for a

wrongful conviction. HR 73 awards \$400,000 to Mr. Word for loss of liberty, personal injury, lost wages, injury to reputation, emotional distress, loss of consortium, loss of familial association, and other damages over those eleven years, plus expenses incurred trying to prove his innocence.

\$300,000 of the award will be purchased by the Department of Administrative Services as a 20-year annuity, and \$100,000 will be paid as an initial lump sum payment, for a total award of \$400,000. Such award is not subject to state income taxes.

- **Authored By:** Rep. Carolyn Hugley of the 136th

- **Committee Action:** Do Pass

Appropriations

HR 107 - Joint Study Committee on Medicaid Reform; create

- BILL SUMMARY: House Resolution 107 creates a joint 18-member study committee for the purposes of evaluating the state's Medicaid program, examining other states' best practices and planning for future actions necessary to sustain appropriate levels of services and funding. The Speaker of the House and the Lieutenant Governor appoint six members from their respective chambers with one being a member of the minority party, and the Governor has six appointments to include representation for the Department of Community Health, hospitals, insurers and nursing homes, as well as a physician and a consumer. The committee is authorized to meet for five days and report its findings by December 31, 2013 when it is abolished.

- **Authored By:** Rep. Donna Sheldon of the 104th

- **Committee Action:** Do Pass by Committee Substitute

Education

HB 45 - Public property; writing off small amounts due to the state; change certain provisions

- BILL SUMMARY: House Bill 45 extends the ability of state agencies and departments to administratively discharge \$100 or less financial obligations that have been determined uncollectable and are reported within State Accounting Office guidelines until July 1, 2016. The Board of Regents of the University System of Georgia and the Technical College System of Georgia may discharge amounts of \$3,000 or less. In order for these obligations to be considered uncollectable, the agency must provide documentation of the efforts made to collect the debt to the commissioner of the agency, who will determine if the cost of further collection efforts is in the public's financial interest; if not, a certificate will be issued deeming the efforts of collection to be costly and the obligation can then be removed for accounting purposes.

This bill also extends the provisions for the University System and Technical College System of Georgia to maintain collections from tuition and fees, not to exceed three or 15 percent of the collections respectively, as unexpired funds until July 1, 2016.

- **Authored By:** Rep. Earl Ehrhart of the 36th

- **Committee Action:** Do Pass

Education

HB 245 - Quality Basic Education Act; educator cannot be prohibited from enrolling in a leadership preparation program; provide

- BILL SUMMARY: House Bill 245 concerns the salary schedules of "certified professional personnel" under the "Quality Basic Education Act." This bill would ensure that an educator cannot be prohibited from enrolling in a leadership preparation program.

- **Authored By:** Rep. Tommy Benton of the 31st

- **Committee Action:** Do Pass

Education

HB 284 - Return to Play Act of 2013; enact

- BILL SUMMARY: House Bill 284 enacts the "Return to Play Act of 2013". This act will require public and private schools that provide youth athletic activities, to provide information to parents on the nature and risk of concussions and head injury. It also establishes concussion management and return to play policies.

- **Authored By:** Rep. Jimmy Pruett of the 149th

- **Committee Action:** Do Pass by Committee Substitute

Education

HB 327 - Flexibility and Accountability Act for Student Achievement; enact

- BILL SUMMARY: House Bill 327 enacts the "Flexibility and Accountability Act for Student Achievement." This bill would categorize each school system as a Category 1, Category 2 or Category 3 school system. This should help form a more cohesive state-wide flexibility and accountability structure.
- **Authored By:** Rep. Brooks Coleman of the 97th
- **Committee Action:** Do Pass by Committee Substitute

Education

HB 337 - Elementary and secondary education; public and private schools to stock supply of auto-injectable epinephrine; authorize

- BILL SUMMARY: House Bill 337 authorizes public and private schools to stock a supply of auto-injectable epinephrine. This bill also states that the school shall designate an employee or agent trained in the possession and administration of the auto-injectable epinephrine to be responsible for the storage, maintenance and distribution of it.
- **Authored By:** Rep. Barry Fleming of the 121st
- **Committee Action:** Do Pass

Education

HB 354 - Early Care and Learning, Department of; provide certain information to owners of early care and education programs; require

- BILL SUMMARY: House Bill 354 is relating to the Department of Early Care and Learning (DECAL) and their involvement with early care and learning in Georgia. This bill would revise definitions relating to child care facilities, updates terminology in code relating to child care learning centers (which will no longer be referred to as day-care centers) and recommends that owners of any early care and learning program carry liability insurance coverage.
- **Authored By:** Rep. Valerie Clark of the 101st
- **Committee Action:** Do Pass by Committee Substitute

Education

HR 218 - Local school superintendents; recognize that learning the United States Constitution is a vital facet of primary education; request

- BILL SUMMARY: House Resolution 218 requests that all local school superintendents in Georgia recognize that teaching the United States Constitution is an essential part of the curriculum for primary education.
- **Authored By:** Rep. Barbara Sims of the 123rd
- **Committee Action:** Do Pass

Game, Fish, & Parks

HB 36 - Game and fish; definition of "game fish"; revise

- BILL SUMMARY: Section 1
- A new subparagraph is added, subparagraph (I), which includes Red Drum within the category of "game fish."
- **Authored By:** Rep. Ben Watson of the 166th
- **Committee Action:** Do Pass

Game, Fish, & Parks

HB 189 - Natural Resources, Department of; notify local governing authorities before making certain significant changes in park service; require

- BILL SUMMARY: HB 189 (LC 40 0227)
- Article 1 of Chapter 3 of Title 12 is amended by adding a new Code section, 12-3-12, which defines the term and conditions around 'change in services'. The term 'change in services' means (1) the permanent change of a primary existing operational function, (2) the reduction by 50 percent or more of the hours of operation or services, or (3) closure of any park, historic site, recreational area operated by the department.
- The department must provide 60 days' notice prior to making a change in services. The notice required by this code section shall be made in writing and sent to the applicable chairperson of the county commissioners and the mayor.

- **Authored By:** Rep. Debbie Buckner of the 137th
- **Committee Action:** Do Pass as Amended

Game, Fish, & Parks

HB 207 - Licenses; issuance of a special turkey-hunting permit for young and mobility impaired hunters; authorize

- BILL SUMMARY: HB 207 (LC 40 0320S)

Section 1

Article 1 of Chapter 2 of Title 27 is amended by adding a new Code section, 27-2-4.4. This new section defines “mobility impaired person” to mean anyone having one of the following conditions:

1. Dependence upon a wheelchair or similar device
2. Hemiplegia
3. Monoplegia
4. Paraplegia
5. Single-leg amputation above the knee.

If an individual is 16 years or younger or if they are “mobility impaired”, the commissioner may issue special authorization to hunt turkeys during an extended open season.

Such special authorization shall only be for the weekend prior to the first weekend of the open turkey season, as established by the department, and shall not be valid for subsequent seasons unless reauthorization is approved.

- **Authored By:** Rep. Jason Shaw of the 176th
- **Committee Action:** Do Pass by Committee Substitute

Higher Education

HB 131 - HOPE; dual credit courses; treated the same as advanced placement and international baccalaureate courses for determining eligibility; provide

- BILL SUMMARY: HB 131 amends O.C.G.A. 20-2-157 by providing that dual credit courses shall be treated in the same manner as advanced placement and international baccalaureate courses for purposes of determining eligibility for the HOPE scholarship.

- **Authored By:** Rep. Valerie Clark of the 101st
- **Committee Action:** Do Pass by Committee Substitute

Higher Education

HB 324 - Georgia Student Finance Commission; board of commissioners; Georgia Student Finance Authority; board of directors; verification of lawful presence; provide exemptions

- BILL SUMMARY: House Bill 324 amends O.C.G.A. 50-36-2, which relates to requirements, procedures, and conditions for verification of lawful presence within the United States, by stating that the board of commissioners of the Georgia Student Finance Commission, and the board of directors of the Georgia Student Finance Authority shall set forth policies, regulations, or both regarding postsecondary benefits that comply with federal law.

- **Authored By:** Rep. Matt Dollar of the 45th
- **Committee Action:** Do Pass

Human Relations & Aging

HB 398 - Consumer transactions; licensed personal care homes and community living arrangements to use certain terms; authorize

- BILL SUMMARY: HB 398 will allow personal care homes or community living arrangements to use the term ‘assisted living’ but not the terms ‘assisted living care’ or ‘assisted living community’, unless licensed as such.

- **Authored By:** Rep. Howard Maxwell of the 17th
- **Committee Action:** Tabled

Industry and Labor

HB 393 - Georgia Workforce Investment Board; provide for powers and duties; provisions

- BILL SUMMARY: HB 393 aims to enumerate the powers and duties of the State Workforce investment Board; set a prioritization of service in addition to veterans and their spouses to add to those receiving unemployment compensation; defines entities who may act as a “fiscal agent/grant recipient”; codifies the role of the chief elected officials within the local

workforce investment areas; mandates that local board set a quorum policy with a minimum 50 percent of board membership being present for meetings; set a clear conflict of interest policy for the local workforce boards so that members cannot hold contracts for services with the board in which they are asked to serve; establish contracting for services policy for local workforce areas; set sanctions for failing and non-performing local workforce areas in accordance with federal law; set a cap on supportive services as a percentage of total allotment provided to each local workforce area, and that supportive services must also have full documentation to each expenditure for each participant; provide the State Workforce Investment Board the authority to remove local workforce area board chairs and directors who are ineffective, not meeting performance standards, or having conflicts of interest; provide the State Workforce investment Board the authority to remove fiscal agents based on a lack of sound financial policies and recognized accounting standards; set an approval requirement for expenditures exceeding \$5,000 to a single vendor/sub-recipient/grantee in a local workforce area.

- **Authored By:** Rep. Mark Hamilton of the 24th

- **Committee Action:** Do Pass by Committee Substitute

Judiciary

HB 78 - Crimes and offenses; protection of disabled adults and elder persons; change provisions

- **BILL SUMMARY:** HB 78 updates and modernizes Georgia's statutory definition of elder maltreatment to include both sexual abuse and exploitation (financial abuse). It also enhances the mandatory reporting of elder maltreatment by adding additional individuals to the list of mandatory reporters.

HB 78 requires that reporters make a report to the law enforcement agency or prosecuting attorney if the abuse or exploitation occurred in a long-term care facility. If the abuse or exploitation did not occur in a long-term care facility, the reporter must report to both law enforcement and adult protective services that has been designated by the Department of Human Services.

- **Authored By:** Rep. Wendell Willard of the 51st

- **Committee Action:** Do Pass by Committee Substitute

Judiciary

HB 94 - Damages; reduction of earnings to present value; change provisions

- **BILL SUMMARY:** HB 94 amends provisions relating to the reduction of future medical expenses, living expenses, lost wages or economic damages to present value. It provides that the trier of fact base may reduce the future damages to present value based on a discount rate of 5 percent or any other discount rate the trier of fact deems appropriate.

- **Authored By:** Rep. Andrew J. Welch of the 110th

- **Committee Action:** Do Pass by Committee Substitute

Judiciary

HB 139 - Sheriffs; general qualification requirements; revise

- **BILL SUMMARY:** HB 139 allows a person to sign an affidavit instead of producing a high school diploma for sheriff qualification. In addition to the affidavit, the person must produce a certified copy of his or her birth certificate. It also allows the person three (3) days after qualifying to have a fingerprint check.

- **Authored By:** Rep. Mark Hamilton of the 24th

- **Committee Action:** Do Pass by Committee Substitute

Judiciary

HB 150 - Law enforcement officers; the reproduction of arrest booking photographs; enact provisions

- **BILL SUMMARY:** HB 150 provides that a person who publishes on his or her website arrest booking photos for purposes of commerce is deemed to be transacting business in Georgia. It allows a subject individual, which has a limiting definition, to request that his or her photo be taken down without fee or compensation. The website is allowed 30 days to comply.

- **Authored By:** Rep. Roger Bruce of the 61st

- **Committee Action:** Do Pass by Committee Substitute

Judiciary

HB 437 - Atlanta Judicial Circuit; provide for selection of chief judge

- BILL SUMMARY: While allowing for deference to the Courts for internal governance, HB 437 provides an outline of enumerated duties for the chief judge of the Atlanta Judicial Circuit, often in conference with the state court chief judge, when the judges are unable to agree. These duties include scheduling regular judge's meetings; managing available court space; making determinations of divisions; selection of jury clerk and oversight and developing a personnel system.
- **Authored By:** Rep. Wendell Willard of the 51st
- **Committee Action:** Do Pass

Judiciary

HB 441 - Fulton County Superior Court; administrator shall have oversight of budget; provide

- BILL SUMMARY: HB 441 grants the Superior Court of Fulton County budget independence.

It grants the court administrator of the Superior Court of Fulton County oversight of the court's budget. After county funds have been appropriated for the operation of the court, the court administrator, with the approval of the chief judge, has authority to make changes to line item appropriations.

- **Authored By:** Rep. Wendell Willard of the 51st
- **Committee Action:** Do Pass

Judiciary

HB 451 - Chattahoochee Judicial Circuit; provide for additional judge

- BILL SUMMARY: State appropriations have been set aside for two new judgeships. HB 451 provides for the appointment of two new judgeships in the order of priority suggested by the Judicial Council. HB 451 creates one new judgeship in the Chattahoochee circuit and one in the Oconee circuit.
- **Authored By:** Rep. Calvin Smyre of the 135th
- **Committee Action:** Do Pass by Committee Substitute

Public Safety & Homeland Security

HB 366 - Peace officers; disciplining certified officers and requirements for certification; clarify application of provisions

- BILL SUMMARY: HB 366 replaces "peace officer" with "officer", which has the effect of bringing communications officers and jail officers, who are already certified by POST under the purview of the executive director to suspend their certification when they are indicted for a felony. Section two of the bill removes the requirement for 6 month waiting period for retaking the Academy Entrance Exam. The legislation also changes POST training requirements for year of initial training and the year of retirement. Also provides for the executive director to suspend the certification of those who fail to complete or submit evidence of annual training requirements.
- **Authored By:** Rep. Bill Hitchens of the 161st
- **Committee Action:** Do Pass

Ways & Means

HB 34 - Income tax credit; clean energy property; include certain commercial geothermal heat pumps

- BILL SUMMARY: This legislation clarifies the energy conservation income credit provided for in 48-7-29.14 so as to allow for a three phase heat pump to be allowed in the credit.
- **Authored By:** Rep. Don Parsons of the 44th
- **Committee Action:** Do Pass

** Bills passing committees are reported to the Clerk's Office, and are then placed on the General Calendar.*

COMMITTEE MEETING SCHEDULE

Wednesday, February 27, 2013

TBD	Floor Session (LD25)	HOUSE CHAMBER (10:00am)
8:00 AM - 9:00 AM	INSURANCE	606 CLOB
8:00 AM - 9:00 AM	AGRICULTURE & CONSUMER AFFAIRS	406 CLOB
8:00 AM - 9:00 AM	Appropriation Higher Education Subcommittee	506 CLOB
9:00 AM - 10:00 AM	RULES	341 CAP
1:00 PM - 3:00 PM	JUDICIARY NON-CIVIL	132 CAP
1:00 PM - 2:00 PM	STATE PLANNING & COMMUNITY AFFAIRS	515 CLOB
1:00 PM - 2:00 PM	Income Tax Subcommittee of Ways & Means	133 CAP
1:00 PM - 2:30 PM	Environmental Quality Subcommittee of Natural Resources	606 CLOB
1:30 PM - 2:00 PM	BUDGET & FISCAL AFFAIRS	415 CLOB
2:00 PM - 3:00 PM	Telecommunications Subcommittee of Energy, Utilities & Telecommunications	506 CLOB
2:00 PM - 3:00 PM	RETIREMENT	515 CLOB
2:00 PM - 3:00 PM	CODE REVISION	403 CAP
3:00 PM - 4:00 PM	MOTOR VEHICLES	506 CLOB
3:00 PM - 4:00 PM	Resolution Subcommittee of Transportation	515 CLOB
3:00 PM - 5:00 PM	HEALTH & HUMAN SERVICES	606 CLOB
3:00 PM - 4:00 PM	REGULATED INDUSTRIES	406 CLOB
3:00 PM - 4:00 PM	STATE PROPERTIES	403 CAP
3:00 PM - 5:00 PM	Jacobs Subcommittee (Two) of Judiciary Civil	415 CLOB
3:00 PM - 4:00 PM	Sales Tax Subcommittee of Ways & Means	133 CAP
4:00 PM - 4:30 PM	Welch Subcommittee of Juvenile Justice	406 CLOB
4:00 PM - 5:00 PM	Ad Valorem Subcommittee of Ways & Means	133 CAP
4:00 PM - 5:30 PM	INTRAGOVERNMENTAL COORDINATION	506 CLOB
4:30 PM - 5:30 PM	JUVENILE JUSTICE	406 CLOB (Upon Adjournment of Welch Subcommittee)

** This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change. To keep up with the latest schedule please visit www.house.ga.gov and click on [Meetings Calendar](#).*